

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case Number 18-20030

Honorable David M. Lawson

v.

JOSEPH DELFGAUW,

Defendant.

ORDER GRANTING RENEWED MOTION TO TERMINATE SUPERVISED RELEASE

Defendant Joseph Delfgauw pleaded guilty to bank fraud and was sentenced on December 7, 2018 to one day in custody, to be followed by two years of supervised release, a fine of \$5,000, and restitution payments of \$77,000. The Court previously denied Delfgauw's motion to terminate supervised release without prejudice to his right to renew the motion "when restitution is paid in full." Delfgauw has now paid his restitution in full and brings this renewed motion to terminate supervised release, which is scheduled to terminate in December 2020. Neither the government nor the probation officer object to the motion.

A court may "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1).

Delfgauw served no time in custody, having been given time-served credit for his nominal custody term. He has maintained full employment during his term of supervision, using his entrepreneurial skills to develop various online businesses. His current business development

apparently requires some travel, which collides with the travel restriction imposed as a supervised release condition, but it appears that he has worked through those circumstances with his probation officer. He has not violated any of the conditions of supervision.

Because Delfgauw has now fully paid his restitution, the Court sees no obstacle to terminating supervision before the expiration of the full term.

Accordingly, it is **ORDERED** that the defendant's renewed motion for termination of supervised release (ECF No. 26) is **GRANTED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 4, 2020